

Juvenile Delinquency Prevention Subgrant Application Year 4

Title II Formula Grant
South Dakota Department of Corrections
APPLICATION DUE: June 5, 2020

Completed original applications must be submitted and approved prior to purchase/use of project budget items.

Applicants with original signatures must be submitted and received by the Department of Corrections by the close of business on June 5, 2020. Faxed and emailed applications will not be accepted. Submit complete applications to:

*Bridget Coppersmith
Juvenile Justice Specialist
Department of Corrections
3200 East Highway 34
Pierre, SD 57501-5070*

The application must include a brief and clear description of each component. It is important to follow all directions, provide complete information, and submit the materials in the order requested. If you need additional room to respond to the components, please attach additional sheets. Please note that all of these steps assist in evaluating the proposal. Please note that this is a competitive subgrant program and funding is not guaranteed to all those who apply.

SECTION 1. APPLICANT INFORMATION

Applicant: Dell Rapids School District		
Address: 1216 N. Garfield Avenue		
City/State/Zip: Dell Rapids, SD 57022	Phone: 605 428 5473	Fax: 605 428 5631
Email: julie.wynja@k12.sd.us	(FEIN): 46-6002579	
Project Director Name: Julie Wynja		Title: Elementary Principal
Agency: Dell Rapids Elementary	Address: 309 W. 15 th Street	
City/State/Zip: Dell Rapids, SD 57022	Phone: 605 428 5473	Fax: 605 428 5631
Email: julie.wynja@k12.sd.us		
Select source from which the program model was cited:		
<input checked="" type="checkbox"/> OJJDP Model Program Guide <input type="checkbox"/> SAMHSA Model Program <input type="checkbox"/> Other (indicate source below with name)		
Please indicate the name of the evidence-based program implemented:		
Project Title:	Dell Rapids Positive Action	
Project Period:	July 1, 2020 – June 30, 2021	

SECTION 2. PROJECT BUDGET

The Council of Juvenile Services will award or not award funding based the extent to which program design addresses a recognized need and whether the proposal is financially responsible and efficient. Funds will be paid through a reimbursement process for items specifically outlined and approved in the application.

Applicants may apply for a budget between \$20,000 and \$50,000.

Non-supplanting Requirements: Funds or other resources of the applicant normally devoted to programs and activities designed to meet the needs of criminal justice will not be diminished in any way as a result of a grant award of federal funds. The project for which assistance is being requested will be in addition to, and not a substitute for, criminal justice services previously provided without federal assistance.

A. Personnel	TOTAL
Positive Action Coordinator Salary	\$ 24,000*
*Note that this amount was estimated prior to negotiations being completed in our district. Given the state has indicated they may be going into special session in the summer or early fall, our district has not been able to negotiate staff salaries.	
Employee Fringe Benefits	\$7,150
TOTAL	\$31,150
B. Contracted Services	TOTAL
	\$
TOTAL	\$
C. Travel and Per Diem	TOTAL
	\$
TOTAL	\$
D. Equipment	TOTAL
Resources and materials that support PAO in classrooms and in individual small groups	\$750
TOTAL	\$
E. Operating Expenses	TOTAL
	\$
TOTAL	\$
Total Project Budget – Combined totals for all columns	\$31,900

SECTION 3. BUDGET NARRATIVE

In the space provided, explain the relationship between budgeted items listed in Section 2 and project activities. Include information (data and criteria) as to how you arrived at budget estimates. Discuss all items by category and in full.

Personnel Narrative - Explain how the compensation and expenses were calculated, duties of the position, and any other information about personnel of the project. If proposed funding covers more than one position, you must identify the duties and estimated percent of time for duties that directly relate to the successful implementation of the program.

Position #1:	0.5 FTE Elementary Counselor Position	
Justification for the position :	Dell Rapids School District employed a full-time elementary counselor to implement Positive Action. 50% of that employee's personnel budget was reimbursed through this grant for three year, and now into an extended 4 th year. Duties of this position are to implement Positive Action through a proactive counseling program direction with the students at the elementary.	
Personnel Responsibilities & Duties <i>(must directly relate to the implementation of the program)</i>		Estimated % Time
1. Coordinator will be fully responsible for Positive Action implementation for grades PK through 4 th grade. Duties will include planning, implementing, and data keeping.		50%
2.		
3.		
4.		
Compensation for services was calculated as follows <i>(if a position is established to cover multiple projects, you will need to estimate compensation for each duty)</i> :		
Wage/Salary:	\$24,000	
Benefits:	\$7,150	
Position #2:		
Justification for the position :		
Personnel Responsibilities & Duties <i>(must directly relate to the implementation of the program)</i>		Estimated % Time
1.		
2.		
3.		
4.		
Compensation for services was calculated as follows <i>(if a position is established to cover multiple projects, you will need to estimate compensation for each duty)</i> :		
Wage/Salary:		
Benefits:		

Please attach additional sheets for more than 2 positions

SECTION 3. BUDGET NARRATIVE CONTINUED

Contracted Services Narrative - Explain the consultant fees, consultant expenses, contracted services, the cost per service/per youth being served, and how the cost for services was calculated. **Contracted services fees cannot exceed \$650 per day.**

Consultant #1:	
Consultant Fees:	
Contracted Service:	
Consultant #2:	
Consultant Fees:	
Contracted Service:	

Travel and Per Diem Narrative – Explain the calculation of travel costs for travel **outside the home jurisdiction**, (travel must be calculated at current state rates (\$0.42 per mile and \$32 per diem)), how the expenses are directly related to the implementation of the project, and if out-of-state travel is anticipated, give particulars (i.e., location, state, dates, purpose, cost).

Purpose of Travel:	
$[Mileage] \times \$0.42 =$ $[Number\ of\ Travel\ Days\ for\ per\ diem] \times \$32.00 =$	
Purpose of Travel:	
$[Mileage] \times \$0.42 =$ $[Number\ of\ Travel\ Days\ for\ per\ diem] \times \$32.00 =$	

Equipment and Operating Expenses Narrative – Explain the supplies and equipment costs directly related to the implementation of the program or project. You must be specific regarding the items in which you intend to use federal funding. For example, a budget item of “office expenses” will not be accepted as these items must be detailed. You need to identify what you anticipate for office expenses and list each item and the estimated costs. Items not specifically outlined will not be eligible for reimbursement.

Equipment – List nonexpendable items that are to be purchased and show how you calculated these costs. Nonexpendable equipment is tangible property having a useful life of more than 2 years.

Individualized and small group counseling sessions require a safe, caring environment that is conducive for students to discuss their feelings. A solid relationship needs to be established for effective counseling. Relationships will be established through games, manipulatives, books, and activities that we purchase with this budget of \$750.

Operating Expenses – List items by type (office supplies, postage, training materials, copying paper, and expendable equipment) and show how you calculated these costs. Generally, supplies include any materials that are expendable or consumed during the course of the project.

NOTE: If there is a change in the above budget narrative, programs will need to request an amendment to their budget. All amendments must be requested in writing **prior to the expenditure of funds.**

SECTION 4. UPDATED THREE-YEAR DELINQUENCY PREVENTION PLAN

A. PROJECT ABSTRACT AND DEMONSTRATION OF CONTINUED NEED

Dell Rapids School District administrators, including the superintendent, high school principal, middle school principal, and former elementary principal all attended the Positive Action Orientation training in Pierre, South Dakota in June of 2017. At that time, this group of leaders identified this program as a need to strengthen their then existing counseling programming. Areas of need identified by the school district that could be addressed by Positive Action including the mental health needs of our students, families, and community. The Positive Action Orientation (PAO) curriculum with its research base fits our need to align our proactive counseling program with our district's vision of "Empowering Each Other to Excel". The "Think, Act, Feel" concept can has been implemented schoolwide at the elementary. To begin it was implemented with our classroom counseling schedule. Our elementary counselor the further reinforces the PAO curriculum with individual students and small groups. As of present current elementary administrator, elementary counselor, and all classroom teachers are trained in the PAO curriculum. The elementary counselor coordinates bi-weekly lessons in her classroom guidance sessions and classroom teachers implement curriculum in their weekly lessons.

Every learner should have access to an effective learning environment in which he/she has multiple opportunities to be successful. The elementary school learning environment was assessed in the fall of 2016 during the AdvancED External Review. The External Review Team used the Effective Learning Environments Observations Tool (eleot™) to provide targeted suggestions for both positive practices and areas of growth. An area that scored low was the Equitable Learning Environment. The team felt very little opportunity existed for students to learn about their own and other's backgrounds, cultures, or differences.

Implementing the Positive Action Orientation has and will continue to address the needs of providing an Equitable Learning Environment. Infusing the "Think, Act, Feel" verbiage and practices within our school culture has helped every learner to be educated on a level surface. This curriculum

continues to address areas we feel that students have become inequitable including disability differences, bullying financial deficiencies, broken homes, and mixed families. PAO concepts continue to help lead our students towards making positive decisions and becoming empathetic individuals.

At Dell Rapids we continue to maintain that the PAO curriculum pushes us to continue to address our community health needs as well. The Connections group of Dell Rapids in its infancy five years ago was formed to address increasing mental health concerns and suicide rates within our small community. To this day, this committee thrives and continues to grow in its vested interest in the mental health of our students and community. While suicide was a primary concern in their start, they have grown to encompass a wider range of community concerns and needs. These needs include increased criminal activity, alcohol and drug related offences, and increased nicotine used in and outside of school.

While programming options have been present for older students and have proved to have a positive impact, the PAO curriculum has shown to be one of the first programs to address the needs of our elementary population. A demographic that was shorted in the past. The district continues to feel strongly that the implementation of a comprehensive counseling program at the elementary school is necessary to help alleviate future problems in this group of students.

When we submitted our initial application our major hurdles to accomplishing this task was two-fold. First, we needed a researched-based curriculum that could become a part of our elementary culture. Next, the Dell Rapids School District was only able to financially provide a counselor half-time to our students. With the endowment of this grant we have been able to successful address both constraints. Further, we have seen even greater application of the PAO curriculum as the certified teaching staff and new principal became trained in implementation of curriculum into their classroom.

B. ORGANIZATIONAL READINESS

The Dell Rapids School District is again requesting grant dollars for the sole purpose of implementing of Positive Action. All administrators in the district feel that in order to create a culture that

promotes and supports positive behaviors, targeted programming must start with our youngest learners in the elementary school.

The district's superintendent and school board are both supportive and optimistic about receiving grant dollars to implement Positive Action. All parties believe that for our school climate to continue improving, the Positive Action programming needs to stay a part of our elementary school for additional years. Having classroom teachers and certified support staff at the elementary trained in Positive Action further solidifies our dedication to this program and the success of our students.

Although all staff were trained in January 2019, we have had staff turnover since that time. Our elementary counselor uses time at the beginning of the school year to give all new teaching staff an overview of the program, explain implementation of classroom curriculum done by the teacher, and answer any questions regarding the PAO curriculum. She is also available to any certified teaching staff throughout the year to answer questions and assist in classroom implementation of the PAO curriculum.

With the conclusion of the 2019-2020 school year ending in remote learning with school building closures, we were unable to provide bi-weekly classroom lessons for our total elementary school population of students. However, we found our PAO curriculum could be best put into practice with a 1:1 virtual student session with our guidance counselor. Should next year bring similar school closures, we will continue with 1:1 student/counselor sessions with PAO support. We will also explore any options with PAO curriculum classroom implementation depending on the length school closures.

C. ASSESSMENT OF DELINQUENCY RISK AND PROTECTIVE FACTORS

We continue to track behavior incidents over the past school years at the middle school level (grades 5-8). We believe that this data continues to support a proactive approach in our elementary aged students to help decrease these infractions in the middle school aged students. The comprehensive approach found in the implementation of Positive Action at the elementary paired with guidance counseling and preventative education programs at the middle school will help to continue to increase positive interactions and decision making.

Dell Rapids Middle School Behavior incidents (5-year data)

Behavior	2015-16	2016-17	2017-18	2018-19	2019-20
Phone/Electronic Devices	17	30	35	15	11
Disrespectful/Obscene Language	2	7	7	5	6
Inappropriate Behavior	21	26	30	58	81
Insubordination	0	2	1	2	2

D. IDENTIFICATION OF AVAILABLE RESOURCES, GAPS, AND EVIDENCE-BASED PROGRAMS

Dell Rapids historically has been able to identify 10-15 students as a target population of students to receive individual and/or small group intervention using the Positive Action curriculum. This recent school year showed no difference, as the same number of students continued to receive these supports with our elementary guidance counselor. These students continue to be identified through parent and teacher referral.

Although the elementary school continues to be offered Friendship/Social Skills groups for targeted age groups, these continue to be on the limited basis and lack the consistency that we have been found to have with Positive Action. We feel that the services offered through our guidance counselor and classroom teachers offer more consistent and constant programming. With the utilization of our elementary guidance counselor as the Positive Action coordinator, she can lead and support the programming offered through guidance sessions and in the classroom setting. We continue to believe that the topics within the PAO curriculum are some of the same areas that our students would benefit from and would enhance our preventative resources available. They include academic achievement, school climate, character education, bullying prevention, social and emotional learning, cyberbullying prevention, career education, self-concept, and classroom management.

Through the grant dollars afforded to our district we have been able to continue to grow and develop the above stated preventative education units through our elementary guidance program. Further,

we have continued our vision in the 2018-2019 school year and trained our classroom teachers to carryout activities and Positive Action verbiage with our students. With the request of additional grant dollars for the 2020-2021 school year, we will be able to implement a full school year of classroom trained teachers under the coordination of our elementary guidance counselor.

E. STRATEGY FOR IMPLEMENTING POSITIVE ACTION

Positive Action resources will continue to be funded through grant request. As noted in this application, the district will set aside .5 FTE of a staff member to facilitate and coordinate Positive Action in our elementary school. We have found that with the equivalent of half of the day being set aside for Positive Action implementation, we have been able to give the program adequate time and commitment.

Below is the list of activities and goals that have been and will be implement now through Positive Action.

1. Target Individual Students as identified through teacher, staff, or parent referral. These students would particpate in individual and/or small group intervention using the Positive Action curriculum. We believe we can continue to easily support up to 15 students in our elementary that would greatly benefit from these services.
2. Create Small Groups to focus on specific topics. Examples of topics may include social/emotional learning, academic achievement, time-management/goal setting, family dynamics. These groups would incorporate the PAO curriculum. Teaching staff have reported that these are of great benefit to students who show struggles in the classroom.
3. Positive Action School Counselor Curriculum to be implemented into our bi-weekly classroom guidance time that is provided to grades PreK through 4th grade.
4. Elementary School Climate Development to increase a school-wide awareness, education, and common language based upon the Positive Action Curriculum. With classroom activity kits and trained teachers, we are able to increase the number of opportunities for students to be exposed to Positive Action concepts.
5. Positive Action Leadership which is in its inception and we believe holds great value for both older and younger elementary students. This would utilize the leadership of our older elementary students to help develop and motivate Positive Action qualities in our younger elementary students.

F: SUSTAINABILITY PLAN

In year one of the funding cycle, we were able to train administration and the Positive Action coordinator. In year two of the funding cycle, we were able to train additional certified elementary staff. In year three, we fully engaged our elementary school staff in our PAO curriculum and culture under the coordination of the elementary guidance counselor. By doing so, we believe we have fully implemented the Positive Action program with fidelity and will have a strong foundation to continue to utilize the program this next school year and past the three-year funding cycle.

Year four may bring unknown challenges to our elementary, as our state and nation have experienced unprecedented experiences with COVID-19. We understand that our students and our families have been affected in a multitude of ways including health, financially, academically, and social-emotionally. Continued implementation of PAO in our elementary will be vital in supporting the long-term social emotional effects of the pandemic on our elementary students and families.

G: PROJECT PERFORMANCE MEASURES AND EVALUATION

The Dell Rapids Public School has experience with data collection. We are committed to being educated on grant specific expectations and will provide knowledgeable staff to assist with collection, retention, and sharing. We have submitted our data from this school year.

H: DESCRIPTION OF PROGRAM GEOGRAPHIC BOUNDARIES

The Dell Rapids Public School District is in the town of Dell Rapids, which is known as “The Little City with Big Attractions”. It lies in southeastern South Dakota, approximately 15 miles north of Sioux falls, the state’s largest city. The gradual expansion of the town’s residential areas and businesses are moving west toward the interstate. Dell Raids was established in 1871 and surrounds the banks of the Big Sioux River. This community of approximately 3824 people thrives over the foundation of a rich vein of red quartzite that runs 2600 feet deep and hundreds of miles wide. The scenic rock cliffs called the “dells” are carved out of the banks of the Big Sioux and are a beautiful part of the attraction of our city.

The great farmland and the quartzite quarry are the heart and soul of Dell Rapids. As you can imagine, our Quarrier name originated from the quartzite which lies beneath the town.

The Dell Rapids Public School District is comprised of three schools. The elementary school opened in 2012 and houses early childhood special education, kindergarten prep, kindergarten, and grades first through fourth. This year the elementary school had record high enrollment at 408 students. Julie Wynja continues at the elementary principal. Our middle school's enrollment of 294 students is under the leadership of principal Fran Ruesink. Finally, our high school has approximately 287 students in grades ninth through twelfth. Drew Bunkers serves as our high school principal.

Our district's most current enrollment was at 989 students. Our students are predominately of white Caucasian descent and approximately 18% of our students qualify for economically disadvantaged status. Dell Rapids also has a private school, Dell Rapids St. Mary's. Students from the private school receive special education, Title services, and selected high school courses from our district.

Our community and school enrollment have shown growth in the last three years. Economically, our community demonstrated recent additions of franchise businesses. However, in the recent months these newer businesses have found to be no longer operating. The 2018-2019 school year also showed to have weather impacts on our community. Flooding in the spring of 2019 came close to reaching historic levels, had a great impact on many homes in the community, and displaced families from their homes of extended periods of time. The end of the 2019-2020 school year brought circumstances that are unparalleled by any in recent decades. As with almost all schools in the nation, Dell Rapids public schools closed their doors for the final quarter of school and provided distance learning for students. At the submission of this application, we continue to experience resounding effects of the pandemic in our school and our community. At this time, we can not fully estimate or define the affects it will have on our students and their families.

I. TARGET POPULATION

Provide an overview of the participants eligible for participation through using the table below and explain how participants will be considered “at risk” youth.

Target Population Details (Place an “X” in the box to the <i>left</i> of all those that apply)					
Race(s):		Offender Type(s):		Geography:	
X	American Indian/Alaskan Native	X	At-Risk Population (no prior offense)	X	Rural
	Asian		First Time Offenders		Suburban
X	Black/African American		Repeat Offenders	X	Tribal
X	Hispanic or Latino (of any race)		Sex Offenders		Urban
X	Other Race		Status Offenders	Age:	
X	White/Caucasian		Violent Offenders	X	Under 11
Sex:		Referral Source:			12-13
X	Female	X	School		14-15
X	Male		State’s Attorney		16- 18

J. BUDGET

Application budget and narrative sections must be complete, practical, and within the range of \$20,000 and \$50,000.

SECTION 5. CONFLICTS OF INTEREST, SPECIAL ASSURANCES AND CONDITIONS

Council of Juvenile Services Conflict of Interest Identification

Please identify which Council of Juvenile Services Members, if any, appear to have a conflict of interest with your application and provide a brief narrative explaining the potential conflict of interest.

A council member derives a direct benefit from the contract if one or more of the following is true of the member, the member's spouse, or a person with whom the member lives with and commingles assets:

- 1) Has a five percent ownership or other interest in an entity that is a party to the contract;
- 2) Derives income, compensation or commission directly from the contract or from the entity that is a party to the contract;
- 3) Acquires property under the contract; or
- 4) Serves on the board of directors of an entity (including a nonprofit) that derives income or commission directly from the contract or acquires property under the contract.

"Direct benefit" does not include gain from a contract based solely on the value of a council member's investment in an entity that is a party to the contract, if that investment represents less than a five percent ownership in the entity. It also does not apply to contracts or transactions where the council member only benefits from an act of the Council of Juvenile Services that has general application, such as a decision by the Council of Juvenile Services to increase or decrease a fee that many South Dakotans pay.

Beth O'Toole, Chair and Professor at the University of Sioux Falls;

Sara McGregor-Okroi, Vice-Chair and Director of Aliive-Roberts County.

Dadra Avery, School Counselor at Sturgis Brown High School;

Pat Bad Hand, Rosebud Sioux Tribe Detention Center;

Judge Tami Bern, First Judicial Circuit Judge;

Keegan Binegar, Youth Member;

Kristi Bunkers, Department of Corrections Director of Juvenile Services;

Kim Cournoyer, Service Provider at Great Plains Psychological Associates;

Charles Frieberg, Director of Trial Court Services;

Tiffany Glaser, Department of Social Services JJRI Program Manager;

Doug Herrmann, Executive Director of The Club for Boys;

Sheriff Brad Howell, Codington County Sheriff;

Alexis Kohler, Youth Member;

Angela Lisburg, Avera Saint Mary's Hospital;

Dave McNeil, Aberdeen Police Department Chief;

Betty Oldenkamp, Chair and CEO of Lutheran Social Services;

Tierney Scoblic, Youth Member;

Carol Twedt, Former Minnehaha County Commissioner; and

Cassidy Wright, Youth Member.

Council Member:

Description of potential conflict of interest:

Council Member:

Description of potential conflict of interest:

Council Member:

Description of potential conflict of interest:

The following information contains the general conditions and assurances as necessary for recipients of funding awarded under this application. Please note that final assurances and conditions may be different than those stated below based on the composition of the individual program. Signature under this section indicates that the applying agency understands that a successful subgrant award under this application you will be subject conditions and awards comparable to those as follows.

General Award Conditions:

1. The Subgrantee agrees to comply with all Formula Grant program requirements.
2. The Subgrantee agrees to obligate and expend the grant amount within the subgrant award period.
3. The Subgrantee agrees to provide all program reports that are requested by the SD Department of Corrections or the Office of Juvenile Justice and Delinquency Prevention by their due date as requested.
4. The Subgrantee agrees to provide all Performance Measure Data and Program Specific data to the SD Department of Corrections.
5. The Subgrantee agrees to request reimbursement on a monthly basis and for only those expenditures outlined in the application approved by the SD Department of Corrections. Claims sheet and all supporting documentation must be submitted within 30 days of the end of the month that the services were paid.

Assurances: The Subgrantee hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F. R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The Subgrantee also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. The subrecipient's conflict of interest policy is to be provided to the SDDOC upon request for review.
3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all federal, state, and local laws, regulations, ordinances, guidelines, permits, and requirements applicable to providing services pursuant to this Agreement and will be solely responsible for obtaining current information on such requirements. It will comply with all lawful requirements imposed by the awarding agency, specifically including applicable regulations 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 46, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); The Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disability Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
7. If a governmental entity -
 - a) it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - b) it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

8. It will provide language services for limited English proficiency (LEP) individuals as needed in order to provide services as covered under this award in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d.
9. Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance of Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)."
10. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," subrecipients are encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
11. Any website that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages, and on any pages from which the visitor may access or use a web-based services "This web site is funded through a grant from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, the web site."

Equal Employment Opportunity Plan (EEOP): Pursuant to 28 C.F.R. §§ 42.301-.301, applicant must take one of the following actions: either submit an EEOP to the SDDOC for submission to the Office for Civil Rights (OCR) for review, maintain an EEOP on file, or submit an EEOP Certification form to the SDDOC for submission to the OCR in order to monitor the subrecipients compliance with the EEOP requirement.

Non-supplanting Requirements: Funds or other resources of the applicant normally devoted to programs and activities designed to meet the needs of criminal justice will not be diminished in any way as a result of a grant award of federal funds. The project for which assistance is being requested will be in addition to, and not a substitute for, criminal justice services previously provided without federal assistance.

Audit Requirement: Acceptance of this grant award requires the subgrantee organization or governmental entity to include this subgrant in the scope of their regularly scheduled annual or biennial audit. The audit must be conducted in accordance with the appropriate OMB Circular (A-128, A-133, A-102/Common Rule). If applicable, the subrecipient is in compliance with the federal Single Audit Act, in compliance with § 4-11-2.1, and audits are displayed on the subrecipient's website

Termination Provision: This Agreement may be terminated by the SDDOC hereto upon thirty-(30) days written notice. In the event the applicant/subgrantee breaches any of the terms or conditions hereof, the SDDOC may terminate this Agreement at any time with or without notice. If termination for such default impacts the SDDOC, any payments due to the applicant/subgrantee at the time of termination may be adjusted to cover any additional costs to the SDDOC because of the applicant/subgrantee's default. Upon termination, the SDDOC may assume the responsibility for the project or may award another party funds to complete the work under this Agreement. If after termination for default by the applicant/subgrantee it is determined that the applicant/subgrantee was not at fault, then the applicant/subgrantee shall be paid for eligible services rendered and expenses incurred up to the date of termination.

Insurance Provision: The Subgrantee, at all times during the term of this Agreement, shall obtain and maintain in force insurance coverage of the types and with the limits as follows:

- o Commercial General Liability Insurance: The Subgrantee shall maintain occurrence based commercial general liability insurance or equivalent form with a limit of not less than **\$1 million** for each occurrence. If such insurance contains a general aggregate limit it shall apply separately to this Agreement or be no less than two times the occurrence limit.
- o Professional Liability Insurance or Miscellaneous Professional Liability Insurance: The Subgrantee agrees to procure and maintain professional liability insurance or miscellaneous professional liability insurance with a limit not less than **\$1 million**.
- o Business Automobile Liability Insurance: The Subgrantee shall maintain business automobile liability insurance or equivalent form with a limit not less than **\$1 million** for each accident. Such insurance shall include coverage for owned, hired, and non-owned vehicles.
- o Worker's Compensation Insurance: The Subgrantee shall procure and maintain workers' compensation and employers' liability insurance as required by South Dakota law.

Before beginning work under this Agreement, the Subgrantee shall furnish the State with properly executed Certificates of Insurance which shall clearly evidence all insurance required in this Agreement and which provide

that such insurance may not be canceled, except on 30 days prior written notice to the State. The Subgrantee shall furnish copies of insurance policies if requested by the State. Such insurance shall contain no special limitations or exclusions as they may relate to this agreement.

Default Provision: This Agreement depends upon the continued availability of federal funds awarded to the SDDOC and appropriated funds and expenditure authority from the Legislature for this purpose. If for any reason the Legislature fails to appropriate funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds rejections, this Agreement will be terminated by the State. Termination for any of these reasons is not default by the State nor does it give rise to a claim against the State. Failing to provide monthly reimbursement and quarterly progress reports may result in termination of the subgrant award.

Amendment Provision: This Agreement may not be assigned without the express prior written consent of the State. This Agreement may not be amended except in writing, which writing shall be expressly identified as a part hereof and be signed by an authorized representative of each of the parties hereto.

Venue Clause: This Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

Subcontractors Provision: The Subgrantee may only use subcontractors to perform the services as outlined in their approved grant proposal. Any additional subcontracts or awards may only be granted with the express prior written consent of the State. The Subgrantee will include provisions in its subcontracts requiring its subcontractors to comply with the applicable provisions of this Agreement, to indemnify the State and to provide insurance coverage for the benefit of the State in a manner consistent with this Agreement. The Subgrantee will cause its subcontractors, agents, and employees to comply, with applicable federal, state and local laws, regulations, ordinances, guidelines, permits and requirements and will adopt such review and inspection procedures as are necessary to assure such compliance.

Subgrantee Agreement: It is understood and agreed by the Subgrantee that any grant received as a result of this application shall be subject to the Special Assurances and Conditions and other policies, regulations, and rules issued by the Department of Justice for the administration of grant projects under (P.L. 100-690) including, but not limited to, the following:

1. Competitive bids must be obtained for all equipment, construction and contracted services applications, as required by applicable local, state, or federal law or regulations.
2. If any agency other than the applicant is to contribute supporting or local funds, the Applicant must document the contribution.
3. Any funds awarded under one subgrant cannot be used in another.
4. Expenses or expenditures for items not listed in the original budget will not be reimbursed. Variances from the approved budget will require a budget amendment approved in advance by SD Department of Corrections.
5. All applicants are subject to federal, state, and local laws and regulations.
6. The Subgrantee shall not obligate any funds until the SD Department of Corrections formally awards subgrant.
7. The Subgrantee agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
8. Reimbursement of expenses is contingent upon submission of monthly financial reports.
9. The Subgrantee understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of SD Department of Corrections and OJP.
10. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds shall clearly state: 1) the percentage of the total cost of the program or project which will be financed with federal money, and 2) the dollar amount of federal funds for the project or program.
11. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, disability, or age against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs and to the SD Department of Corrections.

12. The Subgrantee agrees to hold harmless and indemnify the State of South Dakota, its officers, agents and employees, from and against any and all actions, suits, damages, liability or other proceedings which may arise as a result of performing services hereunder. This section does not require the Subgrantee to be responsible for or defend against claims of damages arising solely from acts or omissions of the State, its officers or employees. Nothing in this Agreement shall be construed as a waiver of sovereign immunity or consent to jurisdiction in any court other than the courts of the Unified Judicial System of the State of South Dakota.

State of South Dakota Grant Subrecipient Attestation:

If awarded, the subgrantee will attest to meeting the following requirements per SDCL 1-56-10:

1. A conflict of interest policy is enforced within the subrecipient's organization;
2. The Internal Revenue Service Form 990 has been filed, if applicable, in compliance with federal law, and is displayed immediately after filing on the subrecipient's website;
3. An effective internal control system is employed by the subrecipient's organization; and
4. If applicable, the subrecipient is in compliance with the federal Single Audit Act, in compliance with § 4-11-2.1, and audits are displayed on the subrecipient's website.

SECTION 6. SIGNATURE PAGE:

The officials who certify this document agree to adhere to all terms and conditions relating to this application. Duplication of responsibilities by one individual for any position listed below is NOT acceptable.

Original Signatures are Required

Chief Executive Officer

Name **Summer Schultz**

Title **Superintendent**

Address **1216 N. Garfield Avenue**

City/State/Zip **Dell Rapids, SD 57022**

E-mail **summer.schultz@k12.sd.us**

Phone **605 428-5473**

Fax **605 428 5609**

Signature

Date

Summer Schultz
5/27/2020

B. Project Director

Name **Julie Wynja**

Title **Elementary Principal**

Address **1216 N. Garfield Avenue**

City/State/Zip **Dell Rapids, SD 57022**

E-mail **julie.wynja@k12.sd.us**

Phone **605 428 5473**

Fax **605 428 5631**

Signature

Date

Julie Wynja
5/27/2020

C. Financial Officer

Name **Barb Littel**

Title **Business Manager**

Address **1216 N. Garfield Avenue**

City/State/Zip **Dell Rapids, SD 57022**

E-mail **barb.littel@k12.sd.us**

Phone **605 428 5473**

Fax **605 428 5609**

Signature

Date

Barbara Littel
5-27-2020

D. Other Official

Name

Title

Address

City/State/Zip

E-mail

Phone

Fax

Signature

Date